



**STATE OF MONTANA  
DEPARTMENT OF CORRECTIONS  
POLICY DIRECTIVE**

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| Policy No. DOC 1.3.17                    | Subject: <b>STUDENT INTERNS</b> |
| Chapter 1: ADMINISTRATION AND MANAGEMENT | Page 1 of 4 and Attachment      |
| Section 3: Human Resource Bureau         | Effective Date: Nov. 8, 2007    |
| Signature: /s/ Mike Ferriter, Director   | Revision Date:                  |

## **I. POLICY**

The Department of Corrections maintains policies for recruitment and selection of interns that provide fair and equitable access to Department work experience opportunities.

## **II. APPLICABILITY**

All Department divisions, facilities, and programs.

## **III. DEFINITIONS**

Administrator – For the purpose of this policy, the administrator ultimately responsible for the division, facility, or program operation and management.

Bona Fide Work – Work that would normally be performed by a paid employee.

Compensated – Intern receives pay for the hours worked.

External Posting – An advertisement of a job opening outside the Department of Corrections.

Hiring Authority – A staff member designated by the administrator to assume responsibility for overseeing the recruitment, selection, and supervision of the student intern.

Non-compensated – An intern who is unpaid and works solely for college credit or valuable work experience.

Student Intern – A person who:

- a. has been accepted in or is currently enrolled in an accredited school, college or university and is hired directly by an agency in a student intern position;
- b. is not eligible for permanent status;
- c. is not eligible to become a permanent employee without a competitive selection process;
- d. must be covered by the hiring agency's workers' compensation insurance; and
- e. is not eligible to earn leave, holiday, and group insurance benefits; and may be discharged without cause.

## **IV. DEPARTMENT DIRECTIVES**

### **A. Function of Student Intern**

1. The Department of Corrections endeavors to provide a shared learning experience in a functional area that addresses an identified Department objective and satisfactorily meets the goals of the proposed internship. The internship will consist of a supervised and structured practical experience which will enhance the interns' understanding of the

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Department of Corrections as well as establish future network partnerships with the intern. The Department may provide these experiences on a volunteer or paid basis.

**B. Recruitment (Compensated and Non-compensated)**

1. Any candidate who wishes to apply for an internship with the Department of Corrections must complete the “intern information” section of the Intern Application/Proposal Form and forward the application to the Department’s Human Resource Bureau (see Attachment).
2. Human Resources will route the application to the appropriate hiring authority. Should the hiring authority choose to hire the candidate, a reference and criminal background check must be done. Human Resources will keep the candidate informed of the process.
3. Interns must meet the minimum qualifications for a position and are responsible for obtaining any necessary certification.
4. At the beginning of the internship, the supervisor and intern will complete the Intern Application/Proposal Form to confirm the agreement and compensation (if applicable) and establish measurable outcomes that correspond with the goals and objectives identified in the proposal (see Attachment). A copy of this form will be filed in the Human Resource office. The following information must be included:
  - a. A description of the individual’s duties and responsibilities so that there is no misunderstanding over whether the service performed is compensable under the Fair Labor Standards Act (non-compensated interns). The description needs to fall clearly within the definition of volunteer (non-compensated) or intern (non-compensated and compensated).
  - b. The description of the responsibilities will emphasize the academic nature of the relationship so that it is clear that critical work or “bona fide” work is not being assigned to an intern.
  - c. If the intern is non-compensated, the supervisor will not assign duties that would normally be performed by an employee. Such assignments may require compensation under the Fair Labor Standards.
5. All interns will receive a full orientation to the Department and the Bureau.
6. At the end of the internship, the supervisor will provide the intern with a written evaluation outlining strengths, concerns, and recommendations for future improvement. (The supervisor may also provide the intern with an evaluation at any time during the internship). The contents of the evaluation need to relate to the goals and objectives that were identified at the beginning of the internship. The supervisor will forward a copy of the evaluation to the Human Resource Bureau. Human Resources will conduct an exit interview with the intern.

**C. Compensated Interns**

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1. Divisions wishing to recruit a paid intern must have an FTE available or get approval from the Department of Corrections Budget and Program Planning Bureau by submitting a budget change document (BCD) with a completed FTE detail sheet.
2. The hiring authority must submit a signed letter from the Department director stating why the Department is in need of this paid position and send an "Authorization to Recruit Form" to the Department of Corrections Budget and Program Planning Bureau. The budget department will submit the request to the Governor's budget office requesting a position be created for the intern.
3. No position may be posted for an intern until an authorization to recruit form is submitted to and approved by the Department of Corrections Budget and Program Planning Bureau.
4. Paid interns will be recruited externally in accordance with *DOC 1.3.4, Employee Selection Guidelines*.
5. Compensation will be based on the nature of the internship, the duties, and the individual's qualifications. The appropriate supervisor will establish the rate after consulting with the Human Resource Bureau to ensure equity and consistency.
6. All paid interns must fill out the new hire employment paperwork on their first day of work.

#### **D. Non-compensated Interns**

1. Non-compensated interns will not participate in a competitive selection process.
2. Should an intern position change from non-compensated to compensated, the incumbent intern would need to participate in a competitive selection process to be eligible for the compensated position in accordance with *DOC 1.3.4, Employee Selection Guidelines*.
3. To qualify as a non-compensated intern, the following six criteria need to be met:
  - a. The internship experience, even though it includes actual operations of a program or facility, is similar to that which would be obtained in a post-secondary institution of higher learning.
  - b. The internship experience is for the benefit of the student.
  - c. The student does not displace a regular employee, but works under the close observation of a regular employee or supervisor.
  - d. The employer provides intern supervision and direction, and derives no immediate advantage from the activities of the intern.
  - e. The intern is not entitled to a job at the conclusion of the internship.
  - f. The supervisor and the intern understand that the student is not entitled to wages during the intern period.
4. The hiring authority must assure that interns under their supervision follow procedure to assure continuous Workers' Compensation coverage during the internship.

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## **V. CLOSING**

Questions concerning this policy should be directed to the Human Resource Bureau.

## **VI. REFERENCES**

- A. *2-18-101 MCA, Definitions*
- B. *DOC Policy 1.3.4, Employee Selection Guidelines*
- C. *Student Intern Guide, August, 2006; Department of Administration*

## **VII. ATTACHMENT**

Intern Application/Proposal Form



DEPARTMENT OF CORRECTIONS  
INTERN APPLICATION/PROPOSAL FORM

**POSITION INFORMATION**

Division/Bureau: Location:  
Intern Supervisor: Title:  
Phone:  
Position Title: Position Number:  
Start Date: End Date:  
**Schedule:** Days: Time:  
Hourly Wages: **Travel:** ☐ Yes ☐ No

**INTERN INFORMATION**

Name: *Last* *First* *Middle Initial*  
Address: *City* *State* *Zip Code*  
Current School: Major(s):  
School Address: School Phone

**AGREEMENT**

Intern Duties:

Internship Goals and Objectives (need to reflect the academic nature of the internship):

Agency Expectations (establish measurable outcomes of goals and objectives):

Intern Expectations (should relate to goals and objectives):

**SIGNATURES**

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Intern

\_\_\_\_\_  
Date